

Docket No.: 4481-031



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IFW
PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of

David M. ARCHIBALD

U.S. Patent Application No. 09/679,078

Filed: October 5, 2000

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Group Art Unit: 2661

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Examiner: KADING, JOSHUA A

For: CORRELATION OF SIGNALLING MESSAGES

Commissioner For Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Submission of Declaration Under 37 CFR 1.132 to Examiner

Applicant submits herewith for consideration by the Examiner, the Declaration of David Coker Under 37 CFR 1.132.

The Examiner is reminded that the Board usually remands Declarations Under 37 CFR 1.132 to the Examiner for consideration, even the Declaration is submitted after a Notice of Appeal is filed. In the interest of brevity and convenience for the Board and the Examiner, the Applicant is submitting Mr. Coker's Declaration directly to the Examiner.

Respectfully submitted,

LOWE HAUPTMAN GILMAN & BERNER, LLP

Allan M. Lowe

Registration No. 19,641

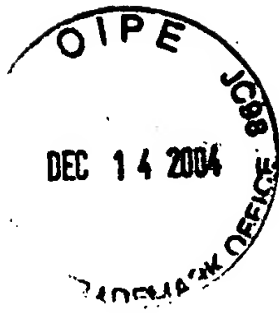
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December 14, 2004



**MAIL STOP APPEAL BRIEF-PATENTS
4481-031**

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of : Confirmation No. 7765
David M. ARCHIBALD : Group Art Unit: 2661
Serial No. 09/679,078 : Examiner: J. Kading
Filed: October 5, 2000 :
For: CORRELATION OF SIGNALLING MESSAGES

DECLARATION OF DAVID COKER UNDER 37 C.F.R. §1.132

Commissioner for Patents
PO Box 1450
Alexandria, VA 22313-1450

Sir:

I, David Coker, hereby declare as follows:

1. I graduated at Southampton University in the United Kingdom with a degree in Electronic Engineering. I am a qualified UK patent attorney ("Chartered Patent Attorney") and a qualified European Patent Attorney. I was a registered U.S. patent agent from 1985-1987, based in Connecticut with Schlumberger. I joined Hewlett-Packard in 1991, working at HP Labs in Bristol, UK, where the early work was undertaken on what is now Agilent's Operational Support System (OSS) product line (including "acceSS7" systems). The

referenced application is concerned with monitoring elements of the OSS product line. I have worked continuously since 1991 with business operations at South Queensferry, Scotland, where the relevant research and development is now performed. In 1999 the relevant portion of Hewlett-Packard's business spun off to form the now-independent company of Agilent Technologies. I have personally written approximately 20-30 patent applications in this area of technology and have supervised the preparation and prosecution of more.

2. As a result of my experience, I know what the skill level was of those of ordinary skill who worked in the OSS monitoring field at the time the present application was filed. I have some skill in the OSS monitoring field and believe my skill level is no greater and probably less than those of ordinary skill in the OSS monitoring field.

3. When I was advised that the USPTO Examiner did not understand how to perform the various correlations that are described in the referenced application, I was very surprised because my knowledge of those of ordinary skill in the OSS monitoring field, at the time the application was filed, leads me to believe they would have understood how to perform the correlations. In my opinion, those skilled in the art to which the present application relates would understand the following statements set forth in paragraphs 4-7 of this

Declaration. I originated the information and examples set forth in paragraphs 4-7 of this Declaration.

4. The calling and called address parameters are used to obtain the correlation of the different messages merely by comparing a pair of values. To obtain the correlation, the calling and called address parameters of one initial address message are compared with the calling and called address parameters of another initial address message. The correlation in this case merely involves the concatenation and comparison of the two address parameters. For example, in the case of a telephone call, the address parameters are phone numbers. If a first person at phone number 44118974302 were to call a second person at 01703684111, the calling parameter would be 44118974302, and the called parameter would be 01703684111. The initial address messages that would be correlated both have combined parameters of 441189743202-01703684111. The recognition that both initial address messages have the same value of concatenated parameters enables them to be correlated. The fact that the initial address messages have address parameters of this type, i.e., phone numbers in the foregoing example, and the basic action of comparing the values of the calling and called phone numbers to recognize the initial address messages relating to the same call to obtain the correlation,

were well known to those of ordinary skill in the art at the time the application was filed.

5. Monitoring control center 32 of the application correlates the session description protocol (SDP) connection description parameter included in the initial address message on link 22 between media gateway controllers 10 and 10a with the OK message from media gateway 12 to media gateway controller 10 on link 26 by associating the session description protocol (SDP) description parameter in the initial address message in the SS7 mode on message link 18, as monitored by monitoring system 28, and the SDP connection description parameter in the OK message that gateway 12 transmits to media gateway controller 10. The OK message is defined in the MGCP protocol. The SDP connection description typically comprises the combination (concatenation) of a network type, such as IN; an address type, such as IP4; an IP address, such as 123.231.132.213; and a port number, such as 32003. Consequently, the initial address message supplied to media gateway controller 10 on link 18 and the OK message supplied by link 26 to controller 10 both have the same value of SDP connection description parameter, for example, IN IP4 123.231.132.213 32003. The format of the SDP connection description parameter is spelled out in the IETF RFC ("standard") 2327 (Session Description Protocol). Because the initial address message supplied to controller 10 on link 18 and the OK message

supplied to controller 10 on link 26 both have the same value for the SDP connection description parameter, correlating the initial address message supplied by link 18 to controller 10 and the OK message supplied to controller 10 on link 26 merely involves making sure both messages have the same value of the SDP connection parameter. Those of ordinary skill in the art at the time the application was filed were well aware of the use of session description parameters to correlate or associate related messages.

6. Monitoring control center 32 correlates the OK message from media gateway 12 to media gateway controller 10 on link 26 with the CRCX message from controller 10 to gateway 12 on link 26 by responding to outputs of monitoring system 30 that are responsive to the messages on link 26. To perform this correlation, monitoring control center 32 associates the transaction identifications included in the CRCX and OK messages. The transaction identification identifies a transaction, and has the same value in two messages that both relate to the same transaction. A transaction identification is simply a number between 0 and 999,999,999. Those of ordinary skill in the art at the time the application was filed were well aware that the correlation of related messages is obtained by determining if the transaction identifications included in the messages are the same.

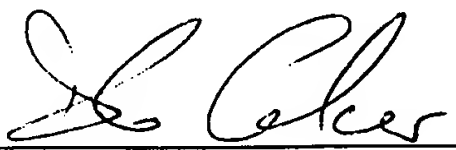
7. The existence and format of these various parameters are defined in international and/or industry standards. Their existence and use (by comparing values) to recognize a transaction to which the message relates were, at the time the application was filed, well known to those of ordinary skill in the art. These parameters are often included precisely to enable identification of some aspect of a transaction. These operations, in themselves, are so fundamental and commonplace in this art that it is not necessary to define them to those of ordinary skill in the art. Any person of ordinary skill in the art who was told, at the time the application was filed, that two messages of the type discussed in the application can be correlated by reference to the identified parameter would have understood that such a correlation means determining if the value of that parameter is the same in both messages.

8. The European Patent Office (EPO), which examines applications to determine if they have a disclosure enabling to those skilled in the art, granted corresponding European Patent EP 1093312. No question with respect to the disclosure was raised by the EPO.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that

willful false statements and the like so made are punishable by fine, or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Date: 14 Dec 2004

By: 
David Coker